

REMARKS

Applicants respectfully request reconsideration of this application, and reconsideration of the Office Action dated November 15, 2004. Claims 3, 5, 7, and 14-19 remain pending in this application. New claims 21-24 are added. The newly added claims are fully supported by the specification, including the Figures and original claims. No new matter is introduced as a result of this Amendment.

* * * * *

Claims 1, 3, 5, and 7 were rejected under 35 U.S.C. 102(a) as purportedly anticipated by Bolton et al. (U.S. Pat. No. 6,131,233).

In addition, claims 1, 3, 5, and 7 are rejected under 35 U.S.C. 102(b) as purportedly anticipated by Farquar (U.S. Pat. No. 2,930,044).

These two rejections are addressed together as similar issues apply to both. Applicants note claim 1 has been canceled by this Amendment. In addition, claims 3, 5, and 7 have each been amended to depend from newly added claim 21. Hence, Applicants comment on the patentably distinguishing features of independent claim 21 over the above cited art.

Independent claim 21 concerns a substrate cleaning tool for cleaning a substrate. The tool includes a plurality of flexible thready members. Each of the members extends straight and has one end tied up into a bundle. In addition, the members are attached to a body by turns. Moreover, members of a first group of such members are longer than members of a second group of such members. The claimed invention is arranged to eject cleaning liquid from the relatively short members and cause it to flow down the relatively long members. In this manner, particles adhered to the surface of the long members are washed away.

The standard mop head described by Bolton and the cleaning mitt of Farquar are completely different from the claimed substrate cleaning tool. For example, neither patent teaches or fairly describes employing thready (thread-like) members that have their respective one ends tied up in a bundle and that are attached to a body by turns. Moreover, neither patent teaches

or fairly suggests employing thready members of different lengths. Hence, for at least these reasons, neither Bolton nor Farquar teaches or fairly suggests each and every claim feature.

In view of the above remarks, Applicants submit both of these rejections are overcome and request they both be withdrawn.

Applicant also point out that independent claim 22 includes all the features of claim 21 except that the thready members are water repellant in claim 22, as opposed to water permeable. Hence, for the same reasons discussed above with respect to claim 21, the invention of claim 22 is also neither taught nor fairly suggested by either Bolton or Farquar.

* * *

Claim 12 was rejected under 35 U.S.C. §102(a) as purportedly obvious based on Belan (U.S. Pat. No. 4,958,596).

Claims 8 and 10 were rejected under 35 U.S.C. §103(a) as purportedly obvious based on Bolton et al. in view of Reynolds (U.S. Pat. No. 4,066,366).

Claims 8 and 10 were rejected under 35 U.S.C. §103(a) as purportedly obvious based on Farquar in view of Reynolds.

Claims 8, 10, and 12 have been canceled by this Amendment thereby rendering each of these rejections moot.

* * *

Claims 13-20 were rejected under 35 U.S.C. §103(a) as purportedly obvious based on Hansen (U.S. Pat. No. 3,750,213) in view of Bolton et al.

In addition, claims 13-20 were rejected under 35 U.S.C. §103(a) as purportedly obvious based on Hansen in view of Farquar.

These two rejections also are addressed together as similar issues apply to both. Applicants note claim 13 has been canceled by this Amendment. In addition, claims 14, 18, and 19 have each been amended to depend from newly added claim 23 (claims 15-17 depend from claim 14). Hence, Applicants comment on the patentably distinguishing features of independent claim 23 over the above cited art.

As an initial matter, Applicants respectfully submit both of these rejections are untenable because they both rely on nonanalogous art. To rely on a reference under 35 U.S.C. § 103, it must be analogous prior art. M.P.E.P. § 2141.01(a). And, in order to be analogous so that a reference can be a basis for rejection, “the reference must either be in the field of applicant’s endeavor or, if not, then be reasonably pertinent to the particular problem with which the invention is concerned.” *In re Oetiker*, 977 F.2d 1443, 1446, 24 USPQ2d 1443,1445 (Fed. Cir, 1992). Hansen, Bolton, and Farquar all have no relation to cleaning a substrate. Hansen discloses a brush for cleaning an automobile; Bolton describes a standard mop head; and Farquar describes a cleaning mitt. Those of ordinary skill in semiconductor wafer cleaning, and those of ordinary skill in the car cleaning, mop cleaning, and mitt cleaning arts would see no similarities in the materials that are to be cleaned by the products of the cited art, and by Appellants’ claimed tool. Those in the semiconductor arts would find no advice or guidance from car brushes, mops and cleaning mitts. The materials being cleaned are just too different. Therefore, the structure of cleaning products for such different materials would not have been consulted by those of ordinary skill in these divergent fields. Simply said, nothing in Hansen, Bolton, or Farquar would have suggested that the teaching therein could in any way have been applicable to the highly specialized art of semiconductor cleaning.

Further, there is no relation in Hansen, Bolton, or Farquar to the problem solved by Applicants. Where the general scope of a reference is outside the pertinent field of endeavor, the reference may be considered analogous art if subject matter disclosed therein is relevant to the particular problem with which the inventor is involved. In re Oetiker. The prior art solves problems relating to cleaning, for example, floors or cars. This has nothing to do with Applicants’ objective of eliminating contaminating particles from the thread-like members. Hence, in no way could Hansen, Bolton, or Farquar have been viewed as relevant to the problem solved by Applicants’ invention. Hansen, Bolton, and Farquar are all non-analogous art, and cannot be applicable to sustain a rejection under 35 U.S.C. § 103.

Even if the cited patents could be viewed as analogous art, they still fail to teach or fairly suggest each and every feature of independent claim 23. Claim 23 concerns a substrate cleaning apparatus for cleaning a substrate. The apparatus includes a plurality of flexible thready members. Each of the members has a hollow channel and is comprised of a water permeable material. The members have their respective one ends tied up in a bundle and are attached to a body by turns. Moreover, “members” or constituents of a first group of such members are longer than the “member” or constituent of a second group of such members.

None of the cited patents teaches or fairly describes employing thready (thread-like) members that have their respective one ends tied up in a bundle and that are attached to a body by turns. Moreover, none teaches or fairly suggests employing thready members of different lengths. Furthermore, nothing in the combined teachings of the cited patents would motivate those of ordinary skill in the art to employ these features.

In view of the above remarks, Applicants submit both of these rejections are overcome and request they both be withdrawn.

Applicants also point out that independent claim 24 includes all the features of claim 23 except that the thready members are water repellant in claim 24, as opposed to water permeable. Hence, for the same reasons discussed above with respect to claim 23, the invention of claim 24 is also neither anticipated nor rendered obvious by the cited art.

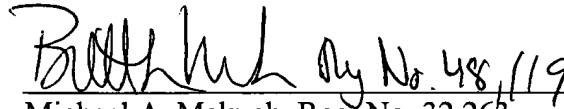
* * * * *

Applicants respectfully submit that this Amendment and the above remarks obviate all of the outstanding rejections in this case, thereby placing the application in condition for immediate allowance. Allowance of this application is earnestly solicited.

If any fees are due in connection with the filing of this Amendment, such as fees under 37 C.F.R. §§1.16 or 1.17, please charge the fees to Deposit Account 02-4300; Order No. 033082.102.

Respectfully submitted,

SMITH, GAMBRELL & RUSSELL, LLP

By:  By No. 48,119
for Michael A. Makuch, Reg. No. 32,263
1850 M Street, N.W., Suite 800
Washington, D.C. 20036
Telephone: (202) 263-4300
Facsimile: (202) 263-4329

Dated: February 14, 2005
MAM/BLN